

SUPREME COURT OF ARIZONA

FILED
AUG 13 2008
BY RACHELLE M. HESNICK
CLERK SUPREME COURT

IN THE MATTER OF A MEMBER)
OF THE STATE BAR OF ARIZONA,)
)
)
JAMES R. MCDONALD, JR.,)
Bar No. 013604)
)
RESPONDENT.)

Supreme Court
No SB-08-0109-D

Disciplinary Commission
No 07-1812

JUDGMENT AND ORDER

This matter having come before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision and there having been no discretionary review,

IT IS ORDERED, ADJUDGED AND DECREED that **JAMES R. MCDONALD, JR.**, a member of the State Bar of Arizona, is hereby censured for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report

IT IS FURTHER ORDERED that **JAMES R. MCDONALD, JR.** shall be placed on probation for a period of one (1) year Bar Counsel shall notify the Disciplinary Clerk of the date on which the probation begins The terms of probation are as follows

- 1 Respondent shall complete TAEPP during the probationary period Respondent shall contact Gloria Green at (602) 340-7278 within 20-days of the date of the final Judgment and Order
- 2 Respondent shall participate in TAP for the period of probation for monitoring of his account records Respondent shall contact the State Bar's Examiner for Trust Account, Gloria Bar at (602) 340-7242, within 20-days from the date of the final Judgment and Order to develop a TAP contract The period of probation shall be effective the date of the final Judgment and Order, and shall conclude one-year from the signing of the TAP contract
- 3 Respondent shall refrain from engaging in any conduct that would violate the Rules of Professional Conduct or other rules of the Supreme Court of Arizona
- 4 In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information, bar counsel shall file with the imposing entity a Notice of Non-Compliance, pursuant to Rule 60(a)(5), Ariz R Sup Ct The Hearing Officer shall conduct a hearing within 30-days after receipt of said notice, to determine whether the terms of probation have been violated and if an additional sanction should be imposed In the event there is any allegation that any of these terms have been violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and convincing evidence

